

ORDINANCE No. 2023-01

RESTATED AND AMENDED SEWER RATE ORDINANCE

An Ordinance restating, amending, updating, the previous rate Ordinance No. 2021-05, which outlined a schedule of rates and charges to be collected by the Steuben Lakes Regional Waste District from the property owners served by the Sewage Works (as hereinafter defined) of the District (as hereinafter defined), and other matters connected therewith (the “Ordinance”).

WHEREAS, the District has been in existence since February 17, 1975, and the Board (as hereinafter defined) has over the years adopted various ordinances and resolutions establishing the District's rates, charges, and matters relating thereto;

WHEREAS, the District is duly constituted to provide for the collection, treatment, and disposal of Sewage (as hereinafter defined) inside and outside the District, pursuant to I.C. 13-26 *et seq.*; and

WHEREAS, the District has heretofore authorized the construction, maintenance and operation of Sewage Works for the collection and disposal of Sewage under the provisions of I.C. 13-26 *et seq.*; and

WHEREAS, the District is authorized, pursuant to I.C. 13-26-11-1 *et seq.*, to fix, alter, charge, and collect reasonable rates and other charges in the area served by its Sewage Works to every Person (as hereinafter defined) whose premises are, whether directly or indirectly, provided with Sewage services by the Sewage Works for the purpose of providing for payment of the expenses of the District; the construction, acquisition, improvement, extension, repair, maintenance, and operation of its Sewage Works and properties; the payment of principal and interest on its obligations; and to fulfill the terms of agreements made with the purchasers or holders of any obligations or with a Person or eligible entity; and

WHEREAS, the Board (as hereinafter defined), pursuant to I.C. 13-26-11-8, shall, by ordinance, establish just and equitable rates or charges for the use of and service rendered by a Sewage Works, payable by the owner of each lot, parcel of land, or building that is connected with and uses the Sewage Works, that is to be connected and that is to use the Sewage Works, or that in any way uses or is served by the Sewage Works; and

WHEREAS, pursuant to I.C. 13-26-11-9, just and equitable rates are considered to be those rates that provide sufficient revenue to pay all expenses incident to the operation of the Sewage Works to include maintenance cost, operating charges, upkeep, repairs, and interest charges on bonds or other obligations; provide the sinking fund for the liquidation of bonds or other evidence of indebtedness and reserves against default in the payment of interest and principal of bonds; and provide adequate funds to be used as working capital, as well as funds for making improvements, additions, extensions, and replacements; and

WHEREAS, the District is continually building, installing, updating and repairing Sewage Works within the District and is establishing a schedule of rates and charges necessary to pay all lawful expenses associated with the ongoing operation and maintenance of all its Sewage Works; and

WHEREAS, said I.C. 13-26-11-1 *et seq.* require that the rates and charges to be collected for the use of and the service rendered by such Sewage Works to be fixed by ordinance, finally adopted after due notice and public hearing, and authorizes the collection of rates and charges;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE STEUBEN LAKES REGIONAL WASTE DISTRICT, STEUBEN COUNTY, INDIANA:

Section 1. Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

- (a) "Apartment" a group of two or more Dwelling Units (excluding a Guesthouse) with a shared wall or walls with another Dwelling Unit.
- (b) "Board" means the Board of Trustees of the Steuben Lakes Regional Waste District, or any duly authorized officials acting on its behalf.
- (c) "Campground/Resort" means any real property that is set aside and offered by a Person or entity — for either direct or indirect remuneration of the owner, lessor, or operator of such place — for the parking or accommodations of recreational vehicles, tents, camper trailers, camping trucks, motor homes, and/or similar shelters, which are not designed for year round occupancy, as determined by the District. Campground/Resort that choose a metered rate shall pay a monthly billing rate in accordance with their appropriate class and meter size in accordance with Exhibit 1.
- (d) "Capacity Charge" means the charge issued to a new customer, who is connecting to the existing Sewage Works of the District, to help set aside capital funds to replace the capacity that will be used by a new customer as well as compensate and/or reimburse the district for administrative and other fees and costs associated with the new customer connection.
- (e) "CBOD" (or "Carbonaceous Biochemical Oxygen Demand") has the same meaning as defined in the Sewer Use Ordinance.
- (f) "Credit Card" means a credit card, debit card, charge card, or stored value card.

- (g) "District" means the Steuben Lakes Regional Waste District, acting by and through the Board of Trustees.
- (h) "Dwelling Unit" means a room or rooms in which cooking and/or sleeping facilities are provided inclusive of single family dwellings as well as Apartments (and includes Guesthouses) as billed in accordance with Schedule of Rates and Charges (as hereinafter defined).
- (i) "Electronic Funds Transfer" means a transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephone, computer, magnetic tape, or other electronic means to order, instruct, or authorize a financial institution to debit or credit an account.
- (j) "Equivalent Unit" means the unit of measure by which the Rates and Charges for sewer services provided by the District are calculated and imposed upon each improved property served by the Sewage Works, as determined in accordance with the Schedules of Rates and Charges and Section 4. hereto.
- (k) "Excessive Strength Surcharge" means an additional charge that is billed to users for treating Sewage wastes with an average strength in excess of Normal Domestic Sewage.
- (l) "Fine" means a sum of money that is paid for an infraction of rules and/or regulations.
- (m) "Garage" means a structure located on the same and/or immediately adjoining parcel as any Single Family Dwelling Unit or other type of Dwelling Unit and does not itself contain a Dwelling Unit. A Garage must be owned (and not leased) by the same owner as the accompanying Dwelling Unit and used primarily for storage of cars or other equipment.
- (n) "Guesthouse" means a structure that contains a non-leased Dwelling Unit, including Single-Family Dwelling Units, which is located on the same and/or immediately adjacent lot as a non-leased single family residence, but does not share a common wall with a Single Family Dwelling Unit. Moreover, a Guesthouse and the accompanying Single Family Dwelling Unit must be owned by the same individual or nuclear family.

The District reserves the right to enforce this definition using its discretion and a homeowner must complete the District's Application for Designation of Guest House (as amended from time to time). In addition, some properties will be exempt should the District determine that the property conforms to the spirit of this definition.

- (o) "Industrial Wastes" means the wastewater discharges from industrial, trade, or business processes, as distinct from employee wastes from sanitary conveniences.
- (p) "Large Commercial, Industrial, Institutional, or Governmental User" means a connection that generates flows greater than an average of 1,000 gallons per month (averaged over a 12 month period). Such Users are charged through some type of

flow meter, like a water meter sized for the necessary flow of water.

(q) "Manufactured Home" means a factory built unit that meets the performance standards of the United States Department of Housing and Urban Development (HUD) regulations:

1. factory assembled;
2. must have a chassis;
3. transportable by a special permit;
4. is a Dwelling Unit designed for year-round occupancy.

(r) "Mobile Home" means shall mean a residential structure that is transportable in one or more sections, is thirty-five (35) feet or more in length with the hitch, is built on an integral chassis, is designed to be used as a place of human occupancy when connected to the required utilities, contains the plumbing, heating, air conditioning, and/or electrical systems in the structure, and is constructed so that it may be used with or without a permanent foundation

(s) "Mobile Home Community/Trailer Park/Mobile Home Park/Mobile or Manufactured Home Co-Operatives (Co-Ops)" means an area of land with at least ten (10) Mobile or Manufactured Home sites that share a common sanitary sewer collection system not maintained by the District. Mobile or Manufactured Home sites may include office buildings, but may only count as one (1) of the ten (10) sites.

(t) "Mobile/Manufactured Home Co-Operatives" means contiguous, but separately owned, parcels of land that are jointly operated and share a common sanitary sewer collection system not maintained by the District.

(u) "Normal Domestic Sewage" (i.e., for the purpose of determining surcharges) means wastewater or Sewage having an average daily concentration as follows:

1. Phosphorus - not more than 12 mg/l
2. S.S. - not more than 275 mg/l
3. Ammonia - not more than 45 mg/l
4. CBOD - not more than 275 mg/l

As defined by origin, wastewaters from segregated domestic and/or sanitary conveniences, as distinct from wastes from industrial processes.

(v) "NPDES (National Pollutant Discharge Elimination System) Permit" has the same meaning as it does in the Sewer Use Ordinance.

(w) "Operation and Maintenance Costs" means all costs, direct and indirect, necessary to provide adequate wastewater collection, transport, and treatment on a continuing basis and produce discharges to receiving waters that conform with all related federal, state, and local requirements (i.e., such costs include Replacement Costs).

(x) "Other Service Charges" means tap charges, Capacity Charges, area charges, upgrade charges, and other identifiable charges, which do not include User Charges or Excessive Strength Surcharges.

(y) "Penalty" means a sum of money, generally set by Indiana Code, for not paying rates and charges by the specified time.⁴

- (z) "Person" mean any and all persons, natural or artificial, including any individual firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.
- (aa) "Replacement Costs" means the expenditures for obtaining and installing equipment, accessories, or appurtenances, which are necessary during the useful life of the Sewage Works equipment to maintain the capacity and performance for which such works were designed and constructed.
- (bb) "S.S." (or "Suspended Solids") has the same meaning as it does in the Sewer Use Ordinance.
- (cc) "Sewage" has the same meaning as it does in the Sewer Use Ordinance.
- (dd) "Sewage Works" has the same meaning as defined in the Sewer Use Ordinance.
- (ee) "Sewer Use Ordinance" means a separate and companion enactment to this Sewer Rate Ordinance that regulates the connection to and use of public and private sewers.
- (ff) "Shall" is mandatory; "may" is permissive.
- (gg) "Single-Family Dwelling Unit" means a single-family residence or home, Mobile Home, or Manufactured Home that is not located in a Mobile Home park.
- (hh) "Small Commercial, Industrial, Institutional, or Governmental User" means a connection that is served by a single or shared simplex pump unit and generates average flows of 1,000 gallons per month or less (averaged over a 12 month period).
- (ii) "Specifications" has the same meaning as defined in the Sewer Use Ordinance.
- (jj) "User Charges" means a charge levied on users of the wastewater treatment works for the cost of operation and maintenance of such works, pursuant to Section 204(b) of Public Law 92-500.
- (kk) "User Class" means the division of wastewater treatment customers by source, function, waste characteristics, and process or discharge similarities (i.e., residential, commercial, industrial, institutional, and/or governmental).
 - (1) **Residential User** — means a user of the Sewage Works, whose premises or building is used primarily as a residence for one or more persons, including all Dwelling Units, etc.
 - (2) **Commercial User** — means any establishment involved in a commercial enterprise, business, or service (including but not limited to hotels, motels and inns), which, based on a determination by the District, discharges primarily segregated domestic wastes or wastes from sanitary conveniences. Commercial Users shall further be distinguished as either: Small Commercial or Large Commercial User.

- (3) **Institutional User** — means any establishment involved in a social, charitable, religious, and/or educational function, which, based on a determination by the District, discharges primarily segregated domestic wastes or wastes from sanitary conveniences. Institutional Users shall further be distinguished as either: Small Institutional or Large Institutional User.
- (4) **Governmental User** — means any federal, state, or local governmental user of the wastewater treatment works. Governmental Users shall further be distinguished as either: Small Governmental or Large Governmental User.
- (5) **Industrial User** — means any manufacturing or processing facility that discharges Industrial Waste to a wastewater treatment works. Industrial Users shall be further distinguished as either: Small Industrial or Large Industrial User.

Section 2. Every Person whose premises connects to, uses, is required to be connected to, or is served by the District's Sewage Works shall be charged for the services provided. These charges are established for each User Class and in accordance with the Schedule of Rates and Charges, as further defined, in order that the Sewage Works shall recover from each user and User Class revenue, which is proportional to its use of the Sewage Works in terms of volume and load. User Charges are levied to defray the Operation and Maintenance Costs, including replacement, of the Sewage Works as well as pay debt service. User Charges shall be uniform in magnitude within a User Class per User category. The various user classifications for users of the treatment works for the purpose of this Ordinance shall be as follows:

Class I Users — Includes all users served by the District:

- Residential connections permitted for connection on or before December 31, 2021
- Residential connections permitted for connection after December 31, 2021
- Commercial
- Governmental
- Institutional
- Industrial

Section 3. For the availability or use of and service rendered by the Sewage Works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate, or building that is connected, required to be connected to the District's sanitary system, or otherwise discharges sanitary sewage, Industrial Waste, water, or other liquids, either directly or indirectly, into the sanitary Sewage System of the District. Such rates and charges include User Charges, Excessive Strength Surcharges, and other service charges, which shall be payable as provided hereinafter and in an amount determined as provided for in "Schedule of Rates and Charges" attached hereto as Exhibit 1:

- (a) The monthly rates and charges provided shall be applied throughout the year based upon the maximum Sewage service required in any month in any calendar year with exception of those Large Commercial, Industrial, or Governmental users, which have additional fees based on gallon age. For example, User Charges based upon employment shall be applied throughout the year based upon the maximum employment of the user for such single maximum employment month, and such maximum usage shall be applied throughout the year.

- (b) If on a lot with Single Family Dwelling Unit or if permitted for connection on or before December 31, 2021, and provided the connection is made in accordance with the Specifications, Garages, as specifically defined in this Ordinance, are not charged or subject to the Schedule of Rates and Charges.
- (c) Provided all connections are made in accordance with the Specifications, all Single Family Dwelling Units, Manufactured Homes, Mobile Homes (not located in a Mobile Home Community/Trailer Park/Mobile Home Park or Mobile or Manufactured Home Co-Operative), Garages (capable of producing sewage) or Guesthouses permitted for connection to the Sewage Works on or after January 1, 2022 shall be charged the Residential Rate for 1 Equivalent Unit, in accordance with the "Schedule of Rates and Charges", per lot or parcel of real estate on which they are located regardless of the number of structures on said lot or parcel. However, if an additional grinder pump is needed, in accordance with the Specifications, then said lot or parcel of real estate shall be charged an additional Equivalent Unit per additional grinder pump needed.

Section 4. The owners of any lot, parcel of real estate, or building filing an application to connect to the Sewage Works, pursuant to the District's Sewer Use Ordinance, and being permitted to connect by the District, shall pay a Capacity Charge per Equivalent Unit, as follows, prior to being connected to the District, as well as any charge pursuant to a local agreement or regarding developer reimbursement.

(a) Capacity Charge per Equivalent Unit	<u>Capacity Charge</u>
First Equivalent Unit (or fraction thereof)	\$3,000.00
Next 4 Equivalent Units	1,800.00
Next 20 Equivalent Units	1,500.00
Next 25 Equivalent Units	1,350.00
Over 50 Equivalent Units	600.00

- (b) The Capacity Charge per Equivalent Unit shall be due the date the application to connect to the District's sanitary sewage system is filed in accordance with the District's Sewer Use Ordinance.
- (c) The cost of making the public sewer suitable for connection, including excavation, backfill, pavement replacement, and the components of the public sewer required for connection including, but not limited to, the grinder pump, shall be the financial responsibility of the owner.
- (d) If the owner of any lot, parcel of real estate, or building is permitted by the District to make a connection by sharing a Simplex Grinder Pump & Tank System with another User, said owner shall pay the aforementioned Capacity Charge per Equivalent Unit, one-half of the equipment costs, or any other charge associated with connecting to the District's Sewage Works.
- (e) If the owner of any lot, parcel of real estate, or building is permitted by the District to make a connection, but that connection requires a fusion connection, the owner shall pay the costs of such service if performed by the District.

Section 5. The rates and charges may not be billed to the tenant or tenants (i.e., those who lease or have an unrecorded land contract with the owner) occupying the property and may only be billed to owners of property.

Section 6. For the inherent costs associated with non-objection letters and inspections, the following fee schedule is adopted. Such fees shall be payable as hereinafter provided and in an amount determined as follows.

(a)	Residential:	<u>Fee</u>
	New dwelling constructions. Additions to existing dwellings.	\$ 100.00
	Unattached garages, accessory or storage buildings connected to system. Manufactured homes not located in a Mobile Home park. This fee includes four (4) trips to the building site.	
	Unattached garages, accessory or storage buildings not connected to system. Decks, porches, carports, fences, retaining walls, or similar type construction Manufactured Home located in a Mobile Home park (a letter is required from the co-op manager or Mobile Home park owners). These items include one (1) trip only to the building site.	30.00

(b)	Commercial:	
	New construction, additions	\$100.00

If a non-objection letter/amendment is required by other agencies not covered above and does not require a site inspection, there will be a minimum charge of \$10.00 per letter.

Renewal of expired letters of non-objection is \$10.00 if no changes are made to original submitted drawings or no new trips have been for re-inspection.

One Trip:

Inspection of tank, plumbing and electrical	30.00
Electrical only	30.00
Plumbing only	30.00

Re-inspection fees will be charged per trip	30.00
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Post-construction permit double the cost of original permit fee.

(c) Encroachment Agreement or the cost to the District of dealing with any encroachment shall include the cost of preparing any agreement, any attorney's fees, recording fees, and other expenses incurred by the District at a rate of:

Attorney's Fees:	Amount charged to the District for said
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services from time to time (currently \$275.00 per hour).

Supervisor or Staff:	\$60.00 per hr.
Technician:	\$55.00 per hr.

(d) Any job or service performed by the District will be charged at the following rates:

Supervisor, Administrative or Staff:	\$90.00 per hr.
Technician:	\$75.00 per hr.
Technician – time & half:	\$112.50 per hr.
Equipment Charges:	
Backhoe	\$125.00 per hr.
Sewer Vacuum Truck	\$150.00 per hr.
Portable Sewer Jetter	\$85.00 per hr.
Dump Truck	\$75.00 per hr.
Trailer	\$45.00 per hr.
Service Truck	\$50.00 per hr.
45 KW Generator	\$85.00 per hr.
Small Generator	\$45.00 per hr.
Fusion Machine	\$100.00 per hr.
Mini Excavator	\$125.00 per hr.
Pumper Truck	\$100.00 per hr.
Crane Truck	\$65.00 per hr.

Rental equipment and materials will be charged cost plus 30% for administrative, service and other overhead costs.

Section 7. For the inherent costs associated with fee collection on delinquent accounts, the District shall charge the cost of certified postage to the owner of the delinquent account for all mailings sent to the owner relating to the collection of the owner's debt.

Section 8. Regarding recording fees, the District shall charge to the owner the costs associated with recording Special Agreements, Easements, Liens, Releases of Liens, and any other required recording with a local or state government.

Section 9. In accordance with the Sewer Use Ordinance, any owner found to have obstructed or damaged the District's Sewage Works on his or her property shall be held liable for the costs to repair (or replace) such damages. Moreover, any owner found to have improperly discharged certain prohibited discharges, as outlined in the Sewer Use Ordinance, shall be held liable for any and all costs associated with cleaning out, rebuilding, and repairing the sewer works. To hold such owner liable, the District will bill said owner and the charges will be placed on the owner's account.

Section 10. Regarding septic tank owners that dump their waste at the District's Sewage Works plant, the District shall charge a fee of \$0.06 per gallon to cover the cost of treatment.

Section 11. The District may sell Class A Biosolids (i.e., byproduct of the District's wastewater treatment process), pursuant to IND. CODE §13-26-5-2(17), to appropriate buyers, as

determined by the District, at a rate of \$5.25 per ton.

Section 12. The District may allow RVs and campers to empty their wastewater holding tanks at a designated facility within the District. The cost to empty each tank is \$10.00.

Section 13. In addition to paying the per month User Charges, each user shall pay the electrical bill required for the operation of the effluent pump located on the user's property, which is a part of the public sewer system.

Section 14. Each user with a septic tank that is acceptable to the District, upon written notification by the District, shall pay the cost required to pump out the septic tank located on that user's property. If the user does not have the septic tank pumped out within 10 days of receipt of said written notice, the District shall contract to have said septic tank pumped out, and the expenses incurred shall be added to the next monthly billing sent to the user.

Section 15. To the extent available by law, the District shall recoup all costs associated with service to owners, including, but not limited to, services relating to connections, repairs, and collections. The District may recoup such costs by resolution, creating charges or fees for users when they use such services.

Section 16. For the service rendered to the District, said District shall be subject to the same rates and charges hereinabove provided, or charges and rates established in harmony therewith.

Section 17. In order that the rates and charges may be justly and equitably adjusted to the service rendered to users, the District shall base its charges not only on the volume, but also on the strength and character of the stronger-than-Normal Domestic Sewage and wastes, of which it is required to treat and dispose. The District shall require the user to determine the strength and content of all the Sewage and wastes discharged, either directly or indirectly into the sanitary sewage system, in such manner and by such method as the District may deem practicable in light of the conditions and attending circumstances of the case, in order to determine the proper charge. The user shall furnish a central sampling point available to the District at all times.

- (a) Normal Sewage domestic waste strength should not exceed a carbonaceous biochemical oxygen demand of 275 milligrams per liter of fluid or suspended solids in excess of 275 milligrams per liter of fluid or ammonia in excess of 45 milligrams per liter of fluid or phosphorous in excess of 12 milligrams per liter of fluid. Additional charges for treating stronger-than-normal domestic waste shall be made on the following basis:
- (1) Rate Surcharge Based Upon Suspended Solids — There shall be an additional charge of \$0.11 per pound of suspended solids for suspended solids received in excess of 275 milligrams per liter of fluid.
 - (2) Rate Surcharge Based Upon CBOD — There shall be an additional charge of \$0.11 per pound of carbonaceous biochemical oxygen demand for CBOD received in excess of 275 milligrams per liter of fluid.
 - (3) Rate Surcharge Based Upon Ammonia — There shall be an additional charge of \$0.40 per pound of ammonia received in excess of 45 milligrams per liter of fluid.
 - (4) Rate Surcharge Based Upon Phosphorous — There shall be an

additional charge of \$0.45 per pound of phosphorous received in excess of 12 milligrams per liter of fluid.

- (b) The determination of suspended solids, ammonia, phosphorous, and carbonaceous biochemical oxygen demand contained in the waste shall be in accordance with the latest copy of "Standard Methods for the Examination of Water, Sewage, and Industrial Wastes," as written by the American Public Health Association, the American Waterworks Association, and the Water Pollution Control Federation, and in conformance with "Guidelines Establishing Test Procedures for Analysis of Pollutants," Regulation CFR Part 136, published in the Federal Register on October 16, 1973.

Section 18. Such rates and charges shall be prepared, billed, and collected by the District in the manner provided by law and ordinance.

- (a) The rates and charges for all users shall be prepared and billed monthly, except that the District may use a coupon book, mailing it once a year.
- (b) As provided by statute, all rates and charges (as described herein) not paid when due are hereby declared to be delinquent, incurring a one-time Penalty of ten (10) percent of the amount of the rates and charges declared delinquent. Such Penalty shall not be compounded over time. For example, should an owner have a current monthly rate of \$83.95 and not pay it when due, the District shall impose a one-time Penalty of ten (10) percent on that given amount (i.e., \$8.40). Should the owner then fail to pay the monthly rate and its one-time Penalty of ten (10) percent by the time another month has passed, the District shall impose no further Penalty on the first month, but shall impose a one-time Penalty of ten (10) percent on the second month rate (i.e., \$8.40). The total owed by the owner at that time would then be \$87.45 for the first month and \$92.35 for the second month, which would remain the same regardless of whether the owner paid such amounts the next day or the next year.

The time at which such rates and charges shall be paid is now fixed at fifteen (15) days after the date of the mailing of the bill, except that when a coupon book is mailed, each monthly payment is due by the 30th day of each month with the exception of the month of February which would be the 28th. Payment is considered made when it is received by the District at its office. Payment also includes the certified postage paid by the District to notify the property owner of the delinquency.

- (c) Rates, fees, or charges made, assessed, or established by the District are a lien in accordance with IND. CODE §13-26-14 et. seq. The District may file, collect and foreclose liens in accordance with the same.

Section 19. As authorized by IND. CODE §13-26-5-9(c) and IND. CODE §36-1-8-11(c)(6), the District may pay claims owed by the District and receive payments owed to the District by cash, check, bank draft, money order, bank card, Credit Card, or Electronic Funds Transfer. In accord, a convenience fee for the use of electronic financial instruments is hereby established. It shall be the amount charged to the District by the financial instrument's vendor, not to exceed five (5) percent of the amount of the payment.

Written notification is required to initiate Electronic Funds Transfer, as well as make any account changes after such initiation. The owner's account must be brought current before Electronic

Funds Transfer may be initiated with the District.

Regarding all forms of payment, if the District has any check, credit card or any payment taken back by a bank or other financial institution for the payment being dishonored for insufficient funds, the owner shall have his or her account charged an insufficient funds fee of \$35.00, and any other additional fees incurred by the District above and beyond the foregoing amount from a third party, and recharged for the amount taken back by the bank or other financial institution.

Section 20. In order that the rates and charges for Sewage services remained fair, equitable, and in proportion to the cost of providing services to the various User Classes, the District will on a biennial basis, within a reasonable period of time following the normal accounting period, conduct a study to be made for the purpose of reviewing the fairness, equity, and proportionality of the rates and charges for Sewage services. Said studies were conducted by (1) officers and employees of the District, (2) a firm of certified public accountants and/or consulting engineers, which had experience in such studies, or (3) such combination of officers, employees, certified public accountants, or engineers as the District determined to be best under the circumstances.

Section 21. The District shall make and enforce such by-laws and regulations as may be deemed necessary for (1) the safe, economical, and efficient management of the District's sewage system, pumping stations, and Sewage Works, (2) the construction and use of house sewers and connections to the Sewage Works, (3) the sewage collection system, and (4) the regulation, collection, and rebating and refunding of such rates and charges.

The District is hereby authorized to prohibit dumping of wastes into the District's sewage system, which, in its discretion, are deemed harmful to the operation of the Sewage Works of the District, or to require a method affecting pretreatment of said wastes to comply with the pretreatment standards included in the National Pollutant Discharge Elimination System (NPDES) Permit issued to the Sewage Works.

Section 22. Any differences that may arise between users and officials of the Sewage Works that cannot be resolved at that level may be appealed to the Board of Trustees of the District.

Section 23. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which shall be given effect without such invalid part or parts.

Section 24. This Ordinance shall be construed in accordance with the laws of the State of Indiana and in full force and effect from and after its passage and signing by the Board of Trustees, as required under Ind. Code §13-26 as amended. Provided, however, if any party has a liability under any such prior ordinance that is not captured by this Ordinance, that individual shall not be relieved of such liability.

Section 25. The Sewer Rate Ordinance 2021-05 is hereby repealed and replaced in its entirety with this Ordinance 2023-01_ effective upon adoption of this Ordinance.

Signature Page to Follow

PASSED AND ADOPTED BY THE STEUBEN LAKES REGIONAL WASTE DISTRICT, STEUBEN COUNTY, INDIANA, ON THE 14th DAY OF FEBRUARY, 2023.

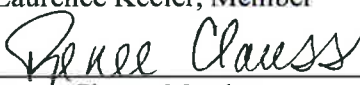
Rob Moreland, President

Abigail Van Vlerah, Vice President

Kelly Johnson, Member



Laurence Keeler, Member



Renee Clauss, Member



Jonathan Flaugh, Member



Craig Rice, Secretary/Treasurer

Effective March 1, 2023
STEBEN LAKES REGIONAL WASTE DISTRICT
 Steuben County Indiana
 2023 Rates

I Residential	<u>Equivalent Units</u>	<u>Billing</u>	<u>Treatment Collection Capital</u>	<u>Total</u>
<u>Single Family Dwelling Units, Manufactured Homes and Mobile Homes not located in a Mobile Home Community/Trailer Park/ Mobile Home Park or Mobile of Manufactured Home Co-Operative Class I</u>	1.00	\$ 2.84	\$ 107.43	\$ 110.27
<u>Multiple Dwelling Units Per Connection</u>		\$ 2.84	\$	\$ 2.84
<u>Plus: Per Dwelling Charges</u>				
<u>Class I</u>				
Apartment/Unit	0.75	\$ 80.57	\$ 83.41	\$ 83.41
Mobile Homes located in a Mobile Home Community/Trailer Park/Mobile Home Park or Mobile of Manufactured Home Co-Operative	0.75	80.57	83.41	83.41
Guesthouse	0.50	\$ 53.72	\$ 53.72	\$ 53.72
Interim Rate	1.00	\$ 2.84	\$	\$ 55.14
II Commercial, Industrial, Institutional and Governmental Small Users (as defined in Section 1(n)) Class I	<u>Equivalent Units</u>	<u>Billing</u>	<u>Volumetric Treatment Collection Capital</u>	<u>Total</u>
<u>Large Users (As defined in Section 1(b)) Per Connection</u>	1.00	\$ 2.84	\$ 107.43	\$ 110.27
<u>Plus: Monthly Treatment Rate per 1000 Gallons</u>		\$	\$ 3.52	\$ 3.52
<u>Plus: Monthly Charges Per Meter Size</u>				
<u>Class I</u>				
5/8" - 3/4"	1.00	\$	\$ 98.21	\$ 98.21
1"	2.50	\$	232.35	232.35
1-1/2"	5.80	\$	534.49	534.49
2"	10.00	\$	916.22	916.22
4"	41.00	\$	3,713.44	3,713.44
Interim Rate	1.00	\$ 2.84	\$	\$ 55.14